AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Complete Listing of Claims:

1. Canceled

2. (Previously Presented) A biocidal composition comprising composite particles, each of said composite particles containing a shell and a core, said core containing surface oxidized copper powder or a copper-containing compound selected from the group consisting of cuprous oxide, copper hydroxide, copper containing salt(s), and combinations thereof, and said shell containing a copper pyrithione formed by reaction of pyrithione acid or a water-soluble salt of pyrithione with a portion of said core copper or copper containing compound.

3. (Previously Presented) The composition of claim 2 which is produced by reacting a copper compound selected from the group consisting of cuprous sulfide, copper thiocyanate, and combinations thereof, with a pyrithione compound selected from the group consisting of pyrithione acid, ammonium pyrithione, tert-butylamine pyrithione, calcium pyrithione, dithiobis (pyridine-N-oxide), a magnesium salt adduct of dithiobis (pyridine-N-oxide) and combinations thereof, and sodium pyrithione, potassium pyrithione, lithium pyrithione, and combinations thereof, to cause partial transchelation of said pyrithione compound to copper pyrithione.

4. (Currently Amended) The composition of claim 2 wherein said copper-powder or copper containing compound is present in said composition in an amount of from about 99 to about 60% by weight, based upon the total weight of said composition~~, and~~

~~wherein the copper pyrithione and the copper or copper-containing compound are present within a weight range of rations of from 1:20 to 20:1 of copper pyrithione relative to the copper or copper-containing compound~~.

5. (Original) The composition of claim 3 wherein said copper-containing composite is present in said composition in an amount of from about 98 to about 80% by weight, based upon the total weight of said composition.

6. (Original) The composition of claim 4 wherein said copper-containing composite is present in said composition in an amount of from about 97 to about 86% by weight, based upon the total weight of said composition.

7. (Currently Amended) The composition of claim 2 wherein said copper pyrithione ~~adduct~~ shell is present in an amount of from about 1 to about 40% by weight, based upon the total weight of said composition.

8. (Currently Amended) The composition of claim 6 wherein said copper pyrithione ~~adduct~~ shell comprises from about 2 to about 20% by weight, based on the total weight of said composition.

9. (Currently Amended) The composition of claim 7 wherein said copper pyrithione ~~adduct~~ shell comprises from about 3 to about 14% by weight, based on the total weight of said composition.

10. (Original) The composition of claim 2, further comprising surfactant or a fatty acid coating on said particle of said copper-containing salt.

11. (Original) The composition of claim 10 wherein said fatty acid is selected from the group consisting of stearic, oleic, glycerol, and combinations thereof.

Claims 12 – 34 (Canceled)

35. (Currently amended) The composition of claim 2 wherein the core material is copper I oxide and the ~~coating material~~ shell is copper II pyrithione.

36. (Original) The composition of claim 35 wherein the weight ratio of copper oxide to copper pyrithione is from 5:1 to 15:1. and ~~the coating~~ a coating diameter is about 1% of the ~~idealized spherical~~ particle.

37. (Currently Amended) The composition of claim 36 wherein the weight ratio of copper oxide to copper pyrithione is about 10:1 and the diameter of the ~~coating material~~ shell is about one percent of the diameter of each of said composite particle as calculated for said composite particles being ~~idealized~~ spheres.

38. (Canceled)

39. (Canceled)

40. (New) The composition of claim 2, wherein the copper pyrithione and the copper or copper-containing compound are present within a weight range of ratios from 1:20 to 20:1 of copper pyrithione relative to the copper or copper-containing compound.